

## **BOARD OF SELECTMEN – OCTOBER 24, 2011**

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### **I. Call to Order/Roll Call**

Chairman Brian Major called the Regular meeting of the Board of Selectmen to order at 7:03 P.M. in the Selectmen's Conference Room at the Town Offices. Present were: Roll Call – Chairman Major-Y, Selectman Teichert-Y, Selectman Vispoli-Y, Selectman Salafia-Y and Selectman Lyman-Y. Also present: Town Manager Buzz Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

### **II. Executive Session**

Chairman Major called the Executive Session to order at 6:23 P.M. in the Board of Selectman's Conference Room in the Town Offices. On a motion by Selectman Vispoli with a second by Selectman Salafia, it was voted 5-0 to enter into Executive Session to discuss potential litigation with Town Counsel and to return to Open Session. Roll Call: Chairman Major-Y, Selectman Lyman-Y, Selectman Teichert-Y, Selectman Vispoli-Y and Selectman Salafia-Y. At 6:57 P.M. on a motion by Selectman Vispoli and a second by Selectman Teichert, it was unanimously voted to adjourn from Executive Session and move to Open Session and not to return. Roll Call: Chairman Major-Y, Selectman Lyman-Y, Selectman Teichert-Y, Selectman Vispoli-Y and Selectman Salafia-Y.

### **III. Opening Ceremonies**

Chairman Major asked for a Moment of Silence followed by the Pledge of Allegiance.

### **IV. Communications/Announcements/Liaison Reports**

The Town Manager made the following announcements:

~Halloween hours on October 31, 2011 will be from 5:00 P.M. to 7:00 P.M.

~ The Board of Selectmen is invited to attend the Annual Veterans Luncheon on Friday, November 4<sup>th</sup> at Noon at the Town House.

~The Mid-Year Review will be presented on November 9<sup>th</sup> at the Memorial Hall Library at 7:00 PM. Peter Fraser from First Southwest will provide a review on debt analysis.

~The Veterans' Day Program on November 11<sup>th</sup> starts at 10:00 A.M. at West Parish Cemetery, followed by an 11:00 A.M. ceremony at Spring Grove Cemetery and concludes at the Ballardvale Green at Noon.

~The Bald Hill Compost Site will be open until November 27<sup>th</sup>. Permit information is available from the Plant and Facilities Department.

~Please access the Health Division's website for information on Flu Clinics.

~The Town's insurance carrier, MIIA, notified us that we have earned 78,000 in credits due to the attendance of employees at health and wellness programs.

~The Ballardvale Fire Station Building Committee released a Request for Proposals for private land in the Andover/Woburn Street area. Interested parties have until November 21<sup>st</sup> to respond. The land at South School is not off their agenda but the Committee wants to pursue all options.

Selectman Salafia reported that the Andover Youth Foundation is collecting signatures in support of the Youth Center. The Town Yard Task Force is presenting their proposal to the Board later tonight.

Selectman Teichert announced that the Andover Business Center Association's Holiday Happening will be held on December 9<sup>th</sup>. He noted that tonight is Senior Night for the AHS Girls' Soccer Team and recognized Senior Captain Molly Lynch Congratulations to

the team.

Selectman Lyman shared a message from former Selectman John Hess who suggested the Board might like to buy a brick as part of the Andover Historical Society's fundraiser. She also reported that Wingate is not continuing with their proposal for the Franciscan Center Overlay Project which will give more time to investigate other opportunities and that curbside leaf pickup will continue through the end of November with the exception of Thanksgiving week.

Selectman Vispoli welcomed Jeff Paige from South Church Troop 73 who is working on his Citizenship Badge for Eagle Scout status.

**V. Citizens Petitions and Presentations**

A. Don Robb of the Andover Sister Towns Association presented the Selectmen with a gift of a hand-blown glass pitcher inscribed from Andover, England. The pitcher will be placed in the glass case on the main floor of the Town Offices.

Bob Willard, 76 Tewksbury Street, encouraged everyone to attend this weekend's performance of "Annie" by the Andover Community Theatre Group.

**VI. Regular Business of the Board**

A. Amendments to the Traffic Rules & Regulations

Safety Officer Charles Edgerly is recommending the following change to the Traffic Rules & Regulations as previously reported at a prior meeting (Second Reading): Schedule 1, Article V, Section 2 – PARKING

Add:

~ "No Parking" on the north side of Chestnut Street from the driveway at #12 to a distance east of 16 feet.

Selectman Lyman motioned to approve the request to change Schedule 1, Article V, Section 2 – PARKING as stated and presented by Officer Edgerly. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

B. Town Yard Task Force

Town Yard Task Force Chairman Richard Feldman made a presentation to the Board on the Task Force's initial findings and recommendations for the Town Yard's future site. The existing Town Yard was built in 1965 as a temporary building. The buildings have major structural issues and the site is too small to accommodate the present needs of the DPW. Four proposals were received (one withdrawn) and three were reviewed by the Task Force: 146 Dascomb Road, 5 Camponelli Drive, and 176 Dascomb Road. The Task Force determined that the 5 Camponelli Drive location most fits the needs of the Town with approximately 16+ acres. The total project cost for land/construction would be in the area of \$17.8 to \$18.4M using pre-engineered buildings saving on design and construction costs. The area also offers future growth potential with the additional benefit of public access to the Merrimack River. The next steps in the process would be to review the design, develop the costs, negotiate land price, share the presentation with other Town boards and prepare for Town Meeting.

Questions/Comments from the Board:

- How much space is available for future expansion? *22,000 square ft.*

- Any issues with storing salt/sand considering the location to the river? *No, the distance is more than adequate*
- Encourage Community Development & Planning to look at the access to the Merrimack River – *Phillips Academy still owns the access way although they are in the process of moving to a site in Dracut.*
- What is the cost for Phase I? *Land acquisition and construction costs - \$17.M*
- What would Phase II offer? *Moving the operation located at Red Spring Road, the Mechanical and Electrical Division, DPW Offices and additional storage for vehicles and equipment.*
- Where will the fuel depot be located? *At the back of the property*

Questions/Comments from Audience:

- There are multiple projects on the table – how do we prioritize the Town Yard? *To be determined after the November mid-year review and debt analysis*
- Are there any wetland issues? *No, the site is set back from any wetlands area.*
- Will the buildings be visible from River Road? *No*
- What about traffic patterns? *The vehicles have easy access to the highway.*
- Is there a commitment with the company who owns the land? *RFP in-hand*
- What are the development plans for the current Town Yard site? *On-going planning in process that will provide tax revenue to the Town.*

Chairman Major said the Mid-year Review in November will help guide us on how to move forward.

C. Special Town Meeting – December 5, 2011

Diane Costagliola of the Andover Youth Foundation reported that over 900 signatures in support of building the Youth Center have been received and submitted to the Town Clerk's Office and all questions from the previous Board meeting were addressed and responses sent to all parties.

Selectman Vispoli motioned to set the Special Town Meeting for Monday, December 5, 2011 at the Collins Center starting at 7:00 P.M. The motion was seconded by Selectman Teichert and voted 4-0 to approve.

Selectman Vispoli motioned to open the Warrant on October 24, 2011 and to close the Warrant on November 4, 2011 at 4:30 P.M. The motion was seconded by Selectman Salafia and voted 4-0 to approve. Selectman Lyman was not in the room at the time the votes were taken.

Other items on the Warrant include:

1. Temporary construction easement on West Knoll Road
2. Town Clerk's Recommended Bylaw Amendment
3. Leasing of Blanchard Field
4. Appropriation article for additional new growth funds of \$613,000.00.

The Board will sign the Warrant on November 7<sup>th</sup> and make recommendations on warrant articles on November 14<sup>th</sup>.

D. Proposed Town Bylaw Amendment

Town Clerk Larry Murphy gave a presentation to the Board regarding a proposed bylaw amendment for consideration at the Special Town Meeting. The proposal establishes minimum standards for the form of citizen's Town Meeting petitions by requiring that a written description of the petition appear on the front and back of the signature pages to ensure knowledge of what one is being asked to sign. This would be a by-law change and would have to go before Town Meeting for a vote and be vetted by the State as well.

Selectman Lyman motioned to approve to insert the By-law Amendment as proposed by the Town Clerk in the Warrant for the Special Town Meeting. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

E. Proposed Act Regulating Election Primaries

Town Clerk Larry Murphy explained a proposed resolution in support of "An Act Regulating Election Primaries" pending before the General Court at the State House. Adoption of H1972 will ensure that the votes of troops overseas will count on Election Day and save taxpayers at least \$8,000,000 by streamlining elections. Many states have moved the date of their primaries to comply with the Federal MOVE Act. The Town Clerk's Association has not yet taken a position on the bill. The Board will review the information packet provided before voting their decision.

F. Capital Improvement Plan

The Town Manager briefly reviewed the projects for the FY-2013 – FY-2017 Capital Improvement Plan. Fifty-one requests were submitted for FY-13. Additional information will be provided at the December 12<sup>th</sup> Tri-board meeting along with documentation showing requests over the next five years.

G. State Revolving Fund Loan

On a motion by Selectman Salafia with a second by Selectman Teichert the Board voted 4-0 to authorize the Town Manager to apply for a State Revolving Fund Loan (2½% interest) for the Ledge Road Landfill planning activities.

Whereas, the Town of Andover has determined that the work activity consisting of Planning activities to support the corrective action alternative for the closure of the Ledge Road landfill is in the public interest, necessary to protect the public health and mandated by the Massachusetts Department of Environmental Protection (MassDEP), and that to undertake this activity, it is necessary to apply for assistance; and

Whereas, the MassDEP and the Massachusetts Water Pollution Abatement Trust (the Trust) of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth ("Chapter 21" and "Chapter 29C") are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; and

Whereas, the Applicant has examined the provisions of the Act, Chapter 21 and Chapter 299C, and believes it to be in the public interest to file a loan application,

Now, therefore, be it resolved by the Board of Selectmen as follows:

1. That the Town Manager is hereby authorized on behalf of the Applicant to file applications and execute agreements for grant and/or loan assistance as well as

furnishing such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the Applicant in connection with the application;

2. That the purpose of said loan(s), if awarded, shall be to fund planning activities.

3. That if said award is made, the Applicant agrees to pay those costs which constitute the required Applicant's share of the project cost.

H. Selectmen's FY-2012 Goals & Objectives

The Board continued their discussion of their FY-2012 Goals & Objectives to finalize clarification of the wording of the goals. The Sustainable Savings Goal achieves a sustainable savings of \$225,000 of the operating budget (salary and health benefits). The Debt Analysis Tool will break out current approved projects and show when projects will impact the budget so residents can make an informed decision. The Action Plan Implementation will include actual projects and timelines for presentation (work order system, (Feb), payroll imaging (March) and Custodial discussion (May).

On a motion by Selectman Teichert with a second by Selectman Major it was voted 4-0 to approve the FY-12 Goals and Objectives with one change to the Debt Analysis Tool prototype that can be tested and evaluated to January 2012 and otherwise as printed.

**VII. Consent Agenda**

A. Class II Dealer License

Selectman Vispoli motioned to approve the request of John J. King, Jr., d/b/a A Plus Auto Sales, 127 Hidden Road, Andover, for a Class II Dealer license for use at 204 Andover Street, Unit 101, Andover. The application has been reviewed and approved by the Inspector of Buildings and the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Salafia and voted 4-0 to approve.

B. Block Party

On a motion by Selectman with a second by Selectman Teichert, it was voted 4-0 to approve the request of Erin L. Taylor, 10 Stirling Street, Andover, for permission to block off Dumbarton Street on Saturday, October 29, 2011 from 1:00 P.M. to 9:00 P.M. (raindate – Sunday, October 30, 2011) for a neighborhood block party. The request has been reviewed and approved with conditions by the Police Department.

C. Appointments and Re-appointments

Selectman Teichert motioned to approve the following appointments and re-appointments with the exception of the Elder Services position as recommended by the Town Manager. The motion was seconded by Selectman Salafia and voted 4-0 to approve.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>COMMUNITY DEVELOPMENT &amp; PLANNING – Public Health Division</u>			
Janet Clarke	Registered Nurse – PT*	\$40.00/hr.	10/18/11
*Per Diem – as needed for Health Clinics			

**TOWN CLERK**

Champa Bilwakesh	Pollworker – PT	\$8.25/hr.	10/18/11
Francis A. Drake	Pollworker – PT	\$8.25/hr.	10/18/11
Luan M. Giannone	Pollworker – PT	\$8/25/hr.	10/18/11
Lora Williams	Pollworker – PT	\$8.25/hr.	10/18/11

**ELDER SERVICES** – Hold on approval until November 7<sup>th</sup> meeting

Andrea S. Zaimes	Office Assistant – PT	IE12-1-0	11/1/11
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On a motion by Selectman Teichert with a second by Selectman Vispoli, it was voted 4-0 to approve the following:

**GREEN ADVISORY BOARD**

Thomas M. Parrill – Term expires 6/30/14 – (v. J. Reck)

**COUNCIL ON AGING**

Margaret V. O'Connor – Term expires 6/30/13 – (v. J. Trerotola)

**VIII. Approval of Minutes from Previous Meetings**

On a motion by Selectman Vispoli with a second by Selectman Salafia, it was voted 4-0 to approve the Minutes of the Special Meeting of September 21, 2011, the Work Session/Regular Meeting Minutes of September 26, 2011 and the Regular Meeting Minutes of October 3, 2011 as presented.

**IX. Adjournment**

On a motion by Selectman Vispoli with a second by Selectman Salafia, it was voted 4-0 to adjourn the Regular Meeting at 9:44 P.M.

Respectfully submitted,

Dee DeLorenzo  
Recorder

Documents: Traffic Request Memo from Safety Officer Charles Edgerly  
Special Town Meeting Warrant Article Memo from Town Clerk  
Letter regarding proposed Resolution in support of H1972  
Ledge Road Landfill Closure – Next Project Phase – Letter from Town Manager  
FY-12 Goals/Objectives for Town Manager  
FY-12 New Growth Letter from Donna Walsh, Finance Director  
List of FY-13 CIP Requests